

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PEASE & SONS, INC., a Washington corporation,

Plaintiff,

V.

OHIO SECURITY INSURANCE  
COMPANY, a foreign insurer,

### Defendant

No.: 3:24-cv-05394-BHS

## **STIPULATION AND ORDER OF DISMISSAL WITH AND WITHOUT PREJUDICE**

**NOTE ON MOTION CALENDAR:  
October 23, 2024**

## STIPULATION

The parties hereto, plaintiff Pease & Sons, Inc. (“Pease”), and defendant Ohio Security Insurance Company (“OSIC”), by and through their respective attorneys of record, hereby stipulate and agree as follows:

- All extracontractual claims asserted in this action by Pease against OSIC shall be dismissed with prejudice and without costs to any party.
- All other claims asserted in this action by Pease against OSIC shall be dismissed without prejudice and without costs to any party.

The parties request that the Court enter the below proposed Order of dismissal.

STIPULATION AND ORDER OF  
DISMISSAL WITH AND  
WITHOUT PREJUDICE - 1  
(3:24-cv-05394-BHS)

LAW OFFICES OF  
**NICOLL BLACK & FEIG**  
A PROFESSIONAL LIMITED LIABILITY COMPANY  
1325 FOURTH AVENUE, SUITE 1650  
SEATTLE, WASHINGTON 98101  
TEL: 206-838-7555  
FAX: 206-838-7515

1 Dated this 23<sup>rd</sup> day of October, 2024.  
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3

4 HARPER | HAYES PLLC

5 \*\* via email authority 10.23.24

6 Todd C. Hayes

7 Todd C Hayes, WSBA #26361

8 Attorney for Plaintiff Pease & Sons, Inc.

9 NICOLL BLACK & FEIG, PLLC

10 /s/ Matthew C. Erickson

11 Matthew C. Erickson, WSBA # 43790

12 Attorney for Defendant Ohio Security

13 Insurance Company

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STIPULATION AND ORDER OF  
DISMISSAL WITH AND  
WITHOUT PREJUDICE - 2  
(3:24-cv-05394-BHS)

LAW OFFICES OF  
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## ORDER

PURSUANT TO THE ABOVE STIPULATION, and the Court being fully advised in the premises, NOW, THEREFORE,

IT IS HEREBY ORDERED, ADJUDGED and DECREED as follows:

- All extracontractual claims in this lawsuit by plaintiff Pease & Sons, Inc. against defendant Ohio Security Insurance Company shall be dismissed **with prejudice** and without costs to any party.
- All other claims in this lawsuit by plaintiff Pease & Sons, Inc., against defendant Ohio Security Insurance Company shall be dismissed **without prejudice** and without costs to any party.

DATED this 24th day of October, 2024.

Honorable Benjamin H. Settle  
United States District Judge

*Presented by:*

NICOLL BLACK & FEIG, PLLC

/s/ Matthew C. Erickson

Matthew C. Erickson, WSBA # 43790  
*Attorney for Defendant Ohio Security  
Insurance Company*

STIPULATION AND ORDER OF  
DISMISSAL WITH AND  
WITHOUT PREJUDICE - 3  
(3:24-cv-05394-BHS)

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FAX: 206-838-7515

**CERTIFICATE OF SERVICE**

I hereby certify that on October 23, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Todd C. Hayes  
HARPER | HAYES PLLC  
1200 Fifth Avenue, Suite 1208  
Seattle, WA 98101  
(206) 340-8010  
[todd@harperhayes.com](mailto:todd@harperhayes.com)  
Attorneys for Plaintiff

Tom Morris

Ian McDonald

STIPULATION AND [PROPOSED] ORDER  
OF DISMISSAL WITH AND  
WITHOUT PREJUDICE - 4  
(3:24-cv-05394-BHS)

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FAX: 206-838-7515